

HOUSE BILL NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE JOSEPHSON

Introduced: 2/18/21

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the state medical assistance program to provide services; relating to**
2 **cost containment of the state medical assistance program; relating to payment for adult**
3 **dental services; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 47.07.030(b) is amended to read:

6 (b) In addition to the mandatory services specified in (a) of this section and the
7 services provided under (d) of this section, the department shall [MAY] offer [ONLY]
8 the following optional services: case management services for traumatic or acquired
9 brain injury; case management and nutrition services for pregnant women; personal
10 care services in a recipient's home; emergency hospital services; long-term care
11 noninstitutional services; medical supplies and equipment; advanced practice
12 registered nurse services; clinic services; rehabilitative services for children eligible
13 for services under AS 47.07.063, substance abusers, and emotionally disturbed or
14 chronically mentally ill adults; targeted case management services; inpatient

1 psychiatric facility services for individuals 65 years of age or older and individuals
 2 under 21 years of age; psychologists' services; clinical social workers' services; marital
 3 and family therapy services; professional counseling services; midwife services;
 4 prescribed drugs; physical therapy; occupational therapy; chiropractic services; low-
 5 dose mammography screening, as defined in AS 21.42.375(e); hospice care; treatment
 6 of speech, hearing, and language disorders; adult dental services; prosthetic devices
 7 and eyeglasses; optometrists' services; intermediate care facility services, including
 8 intermediate care facility services for persons with intellectual and developmental
 9 disabilities; skilled nursing facility services for individuals under 21 years of age; and
 10 reasonable transportation to and from the point of medical care.

11 * **Sec. 2.** AS 47.07.036(b) is amended to read:

12 (b) The department, in implementing this section, may not [SHALL TAKE
 13 ALL REASONABLE STEPS TO] implement cost containment measures that [DO
 14 NOT] eliminate program eligibility or the scope of services required or authorized
 15 under AS 47.07.020 and 47.07.030 [BEFORE IMPLEMENTING COST
 16 CONTAINMENT MEASURES UNDER (c) OF THIS SECTION THAT DIRECTLY
 17 AFFECT PROGRAM ELIGIBILITY OR COVERAGE OF SERVICES]. The
 18 department may take cost containment measures that [TAKEN UNDER THIS
 19 SUBSECTION MAY] include new utilization review procedures, changes in provider
 20 payment rates, precertification requirements for coverage of services, or [AND]
 21 agreements with federal officials under which the federal government will assume
 22 responsibility for coverage of some individuals or some services for some individuals
 23 through such federal programs as the Indian Health Service or Medicare.

24 * **Sec. 3.** AS 47.07.067(a) is amended to read:

25 (a) The [SUBJECT TO APPROPRIATION, THE] department shall pay for
 26 minimum treatment and for preventative and restorative adult dental services provided
 27 under AS 47.07.030(b) and under regulations adopted by the commissioner in
 28 conformity with applicable federal requirements and this chapter. Regulations adopted
 29 under this section must include the following:

30 (1) [EXCEPT AS PROVIDED IN (d) OF THIS SECTION,] a
 31 maximum amount of benefits for preventative and restorative adult dental services of

1 \$1,150 for each eligible recipient in a fiscal year; and

2 (2) specification of the scope of coverage for preventative and
3 restorative adult dental services.

4 * **Sec. 4.** AS 47.07.067(d) is amended to read:

5 (d) **The** [IF THE DEPARTMENT AUTHORIZES OR APPROVES
6 PAYMENT FOR COMPLETE OR PARTIAL DENTURES FOR AN ELIGIBLE
7 RECIPIENT, THE] department may authorize the payment **for complete or partial**
8 **dentures for an eligible recipient** in one fiscal year of the maximum payment amount
9 for not more than two fiscal years. [A RECIPIENT IS NOT ELIGIBLE FOR
10 ADDITIONAL BENEFITS UNDER THIS SECTION FOR A TWO-YEAR
11 PERIOD.]

12 * **Sec. 5.** AS 47.07.036(c) is repealed.

13 * **Sec. 6.** AS 47.07.067(b) and 47.07.067(c) are repealed.

14 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 MEDICAID STATE PLAN FEDERAL APPROVAL. The commissioner of health
17 and social services shall amend and submit to the United States Department of Health and
18 Human Services for approval the state plan for medical assistance coverage consistent with
19 AS 47.07.030(b), as amended by sec. 1 of this Act, AS 47.07.036, as amended by secs. 2 and
20 5 of this Act, and AS 47.07.067, as amended by secs. 3, 4, and 6 of this Act.

21 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 NOTIFICATION. The commissioner of health and social services shall notify the
24 revisor of statutes when the United States Department of Health and Human Services
25 approves or disapproves an amendment to the state plan for medical assistance submitted
26 under sec. 7 of this Act.

27 * **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to
28 read:

29 CONDITIONAL EFFECT. (a) Section 1 of this Act takes effect only if the United
30 States Department of Health and Human Services approves an amendment to the state plan
31 for medical assistance coverage corresponding to the amendment to AS 47.07.030(b) in sec. 1

1 of this Act before January 1, 2024.

2 (b) Sections 2 and 5 of this Act take effect only if the United States Department of
3 Health and Human Services approves an amendment to the state plan for medical assistance
4 coverage corresponding to the amendments to AS 47.07.036 in secs. 2 and 5 of this Act
5 before January 1, 2024.

6 (c) Sections 3, 4, and 6 of this Act take effect only if the United States Department of
7 Health and Human Services approves an amendment to the state plan for medical assistance
8 coverage corresponding to the amendments to AS 47.07.067 in secs. 3, 4, and 6 of this Act
9 before January 1, 2024.

10 * **Sec. 10.** (a) If sec. 1 of this Act takes effect, it takes effect on the day after the date the
11 commissioner of health and social services notifies the revisor of statutes of approval of the
12 corresponding amendment to the state plan.

13 (b) If secs. 2 and 5 of this Act take effect, they take effect on the day after the date the
14 commissioner of health and social services notifies the revisor of statutes of approval of the
15 corresponding amendment to the state plan.

16 (c) If secs. 3, 4, and 6 of this Act take effect, they take effect on the day after the date
17 the commissioner of health and social services notifies the revisor of statutes of approval of
18 the corresponding amendment to the state plan.